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Hearst-Argyle
TELEVISION, INC.David J. Barrett
President &
Chief Executive Officer

ORIGINAL

October 24, 2003

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Michael K. Powell, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

OCT 24 2003

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYRe: MM Docket No. 02-230

Dear Chairman Powell:

As an operator of 27 local television stations and a leader in the implementation of digital television, Hearst-Argyle Television, Inc. ("Hearst-Argyle") is pleased that the Commission appears to be moving forward with the adoption of a "broadcast flag" standard for digital broadcast copy protection. I write to express Hearst-Argyle's support for the adoption of the proposal submitted by the major broadcast networks and affiliate associations.

Hearst-Argyle is concerned with reports that the Commission may be considering the exemption of news and public affairs programming from broadcast flag protection. Failure to protect local news and public affairs digital programming from unauthorized distribution would likely disadvantage broadcasters economically and competitively. In addition, broadcasters would also be disadvantaged in securing consent for content used in local programming from third parties who may be concerned about a broadcaster's ability to protect that content. Those parties may then favor other video distributors, such as cable and satellite, who may be better able to provide protection against unlawful redistribution.

Local programming is the essence of "localism." Failure to protect the integrity of the distribution of local programming—particularly local news and public affairs programming—would be at odds with the Commission's long-standing efforts to encourage broadcasters to invest in and produce that kind of programming.

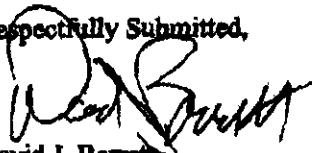
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Chairman Powell
October 24, 2003
Page 2

The failure to protect against the unauthorized distribution of local digital program content may also discourage the development of new and creative program choices and options for viewers.

Hearst-Argyle respectfully urges the Commission to ensure that the broadcast flag protection covers *all* broadcast programming, including news and public affairs programming.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "David Barrett", written over a circular stamp or seal.

David J. Barrett
President and Chief Executive Officer

Chairman Powell
October 24, 2003
Page 3

cc: Commissioner Kathleen Q. Abernathy
Commissioner Michael J. Copps
Commissioner Kevin Martin
Commissioner Jonathan S. Adelstein
Stacy Robinson, Esq.
Catherine Bohigian, Esq.
Anthony Dale, Esq.
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Rick Chesson, Esq.
Ms. Marlene Dortch
MB Docket No. 02-230